



Competing Claims of Victimhood? Foreign and Domestic Victims of Trafficking in the United States

Denise Brennan

Abstract: This article considers how, in the United States, a rhetorical and policy shift that focuses on domestic youth in prostitution affects the broader effort to fight trafficking of foreign nationals in industries other than sex work. Common sense suggests that with resources directed toward finding domestic youth in forced prostitution, fewer efforts will be made to reach foreign workers exploited in work sites outside of the sex industry. The author contends that the low numbers of individuals found thus far in forced (nonsexual) labor nationwide have been, in part, a consequence of not looking. This article also examines a number of factors that prevent migrant workers who have experienced a range of exploitation from coming forward about these abuses. In an environment of undocumented migrants' increasing distrust of law enforcement, there are many challenges to finding individuals who are subject to forced labor.

Key words: migrant exploitation; antiprostitution; trust; sex trafficking; domestic youth

It has not been easy finding trafficked persons in the United States. Although there is widespread consensus—among law enforcement, immigrant labor organizers and attorneys, and social workers—that large numbers of individuals are held in situations of forced labor, finding them has been a challenge. Since trafficking legislation was passed in 2000—the Trafficking Victims Protection Act (TVPA)—fewer than 2,000 people have been designated as trafficked (U.S. Department of State, 2007).¹ Yet the U.S. Department of State (2004) has

estimated that 14,500 to 17,500 individuals are trafficked annually from all over the world into the United States. With the TVPA allowing up to 5,000 T visas to be issued every year, by the end of 2007, potentially as many as 35,000–40,000 individuals could have received T visas. The large gap between the number of people assisted as formerly trafficked persons and the number allegedly entering the United States every year has been noticed in many quarters—including in Congress.² Throughout the TVPA's reauthorization process in 2005

¹ The Trafficking Victims Protection Act of 2000 defined "severe forms of trafficking" as follows:

a. Sex Trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age or; b. The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery. (U.S. Department of State, 2007, p. 7)

² Congress commissioned the U.S. Government Accountability Office to analyze U.S. anti-trafficking efforts overseas (U.S. Government Accountability Office [GAO], 2006) and to examine interagency collaboration on trafficking cases in the United States (GAO, 2007). The first report commented on the weak methodologies used to generate the U.S. government's estimates of human trafficking worldwide; the second pointed to the need for more interagency cooperation when combating trafficking in the United States.

Address correspondence concerning this article to Denise Brennan, Department of Sociology and Anthropology Program, Georgetown University, 37th and O Street NW, Washington, DC, 20057. E-mail: brennade@georgetown.edu

and the still-pending 2007 reauthorization, members of Congress have been asking where all of the money allocated to fighting trafficking has gone and why government agencies have not found more individuals in forced labor. Consequently, there has been a scramble to produce trafficked persons.³

This pressure has had two significant effects, the first of which has been to make more money available for finding trafficked persons. As a result, over the past few years, 42 anti-trafficking task forces were put in place throughout the United States to identify and assist trafficked persons. Intended to be victim-centered, the task forces join law enforcement with staff from social-service organizations that resettle trafficked persons and staff from community-based organizations that work with immigrant communities. The second effect of this pressure to produce trafficking victims has been to increase attention and resources to one part of the TVPA that grants protections to domestic youth in sexual exploitation. The trafficking legislation currently up for reauthorization in the Senate, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2007, redefines all prostitution as trafficking. If prostitution becomes a federal crime, the U.S. Department of Justice would be charged with prosecuting all such cases. The U.S. Department of Justice outlined its “significant concerns” (Benczkowski, 2007, p. 1) in a letter addressed to the Committee on the Judiciary in November 2007.⁴ Under the proposed reauthorization, the number of trafficked persons found would increase significantly. Furthermore, young people—U.S. citizens—may

eventually comprise most trafficking victims⁵ in the United States.

In a letter to U.S. senators regarding the reauthorization, a group of trafficking service providers, advocates, scholars, and human rights lawyers noted that the new sex trafficking statute federalizing prostitution-related crimes⁶ “will instantaneously and dramatically increase the estimated and actual number of ‘trafficking’ victims in the U.S.” because the “estimated number of prostitution-related arrests is around 100,000 a year” (Alexandria House et al., 2008, ¶ 8).⁷ The number of trafficking victims would increase such that “those engaged in prostitution would outnumber true trafficking victims nearly six to one” (Alexandria House et al., ¶ 8). Consequently, they would have to “compete for access to funding, resource programs and every other aspect of assistance to the real trafficked individuals” and “fewer true victims” would be identified (Alexandria House et al., ¶ 8).

Although abuses within the sex industry—in particular for young people—are horrific and need attention, one kind of abuse and one kind of victimhood should not be privileged over others. Common sense suggests that with rhetoric focused on and resources directed to finding domestic youth in prostitution—as well as non-U.S. citizens in prostitution—fewer efforts will be made to reach foreign workers in industries outside of the sex industry. Without looking much beyond the sex industry for exploitation of migrant workers, of course, such exploitation will not be found. I contend that the low numbers of individuals found thus far in forced (non-sexual) labor nationwide has been, in part, a consequence of not looking. With ending prostitution a clear priority of government officials, attorneys for foreign nationals who were severely exploited in other industries

3 Since 2001, the U.S. government has dedicated approximately \$375 million for international projects (U.S. Government Accountability Office, 2006). Furthermore, in a letter that introduced the *Report on Activities to Combat Human Trafficking: Fiscal Years 2001–2005*, Alberto Gonzales wrote that since 2004, the U.S. Department of Justice has “awarded grants totaling more than \$30 million to institute 32 multidisciplinary anti-human trafficking task forces and 21 victim service providers in communities across the nation” (U.S. Department of Justice, Civil Rights Division, 2006, p. i).

4 The letter from the Department of Justice (Benczkowski, 2007) warned that

due to the high-volume of prostitution-related crimes, the Federal government lacks the necessary resources and capacity to prosecute these offenses. Therefore, to the extent that this expansion of the Mann Act would federalize the criminal prosecution of pandering, pimping, and prostitution-related offenses, it is unnecessary and a diversion from Federal law enforcement’s core anti-trafficking mission. (p. 9)

5 Following the recommendation in the Women’s Commission for Refugee Women and Children (2007) report, I also use the terminology *trafficked person* rather than *victim* “to underscore a rights-based rather than a criminal perspective” (p. 5). I use terms other than *victims* (except when I refer to the language used by certain agencies or the law). Throughout this article, I use the terms *trafficked persons*, *formerly trafficked persons*, *individuals in forced labor*, or *T visa recipients* to describe foreign nationals who work or have worked in forced labor in the United States.

6 I am one of the signatories of this letter.

7 The proposed Trafficking Victims Protection Reauthorization Act of 2007 would create a new crime of sex trafficking which would authorize the Department of Justice to prosecute any individual whose action “induces another to engage in prostitution” (Alexandria House et al., 2008, ¶ 3).

are frustrated that investigations and prosecutions have been more aggressively sought in cases classified as sex trafficking than in cases of forced labor. In 2004, for example, there was an overwhelming focus on cases involving sexual exploitation. Of the 59 prosecutions initiated against traffickers in fiscal year 2004, “all but one of those cases involved sexual exploitation” (U.S. Department of Justice, 2005, p. 15).⁸

Despite the fact that no data are available on how law enforcement decides to undertake investigations into extreme abuses in one industry and not another,⁹ this article seeks to understand the challenges that may lie ahead for undertaking investigations in work sites where migrants labor. This article examines a number of factors that prevent migrant workers—who have experienced a range of exploitation, not just forced labor—from coming forward with their abuses. I map these

8 The 2004 assessment also revealed an emphasis in fiscal year 2003 on prosecuting cases related to sexual exploitation, with 9 of the 12 cases filed for trafficking prosecutions charted in the category *sex* (U.S. Department of Justice, 2004b, p. 27). The majority of cases filed in 2006 also were sex cases (with 22 cases of “All Trafficking Prosecutions” categorized as sex and 10 as labor; however, under cases listed as “TVPA [Trafficking Victims Protection Act of 2000] Prosecutions” the case load is nearly split between 10 cases categorized as labor and 12 as sex (U.S. Department of Justice, 2007, p. 17).

9 The majority of investigations of trafficking in persons (of adult foreign nationals) are undertaken by agents in the Federal Bureau of Investigation (FBI) and in the U.S. Immigration and Customs Enforcement (ICE). The 2007 *Attorney General’s Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons* reported that in fiscal year 2006, the FBI opened 126 investigations and made 140 arrests, but it does not make clear what kinds of cases these are (U.S. Department of Justice, 2007). Also, in fiscal year 2006, ICE opened 299 human trafficking investigations, “which consisted of 85 investigations of forced labor and 214 investigations of commercial sexual exploitation” (U.S. Department of Justice, p. 14).

The figures on domestic youth exploited in prostitution are separated out from the cases involving adult foreign nationals. The FBI Crimes Against Children Unit combats exploitation of children in prostitution in the United States through the Innocence Lost National Initiative, which was created in June 2003 in partnership with the Child Exploitation and Obscenity Section of the Department of Justice Criminal Division and the National Center for Missing and Exploited Children. As of September 2006, 23 task forces or working groups nationwide have formed through this initiative. Since its creation, the initiative “has resulted in 241 investigations, 662 arrests, 151 informations/indictments and the recovery and/or identification of more than 300 children” (U.S. Department of Justice, 2007, p. 13).

everyday abuses within a larger system of everyday exploitation of undocumented workers. Moreover, as cities and towns throughout the United States enact local policies that target undocumented migrants, foreign nationals who work in or are vulnerable to situations of forced labor are increasingly likely to mistrust not only law enforcement but also well-intentioned community organizers. Forced underground, these workers will be harder to find and to assist than ever before. In this article, I explore the role of trust when building partnerships within migrant communities—between law enforcement, migrant leaders, and community-based organizations—that possibly could prevent forced labor and perhaps identify trafficked persons. I end the article by emphasizing the critical role communities—of co-ethnics, of member advocates at migrants’ rights organizations, and of formerly trafficked persons—can play in finding individuals in situations of forced labor.

The current environment in which trafficking is fought in the United States holds several problematic dynamics: predetermining who is a trafficking victim and thus worthy of finding and funding; assuming that those who are determined to be trafficked in the sex industry embrace their status as sex-trafficking victims; and increasing distrust and fear within migrant communities of law enforcement through both federal Immigration and Customs Enforcement (ICE) raids and local crackdowns on undocumented migrants. The bottom line is, the United States offers migrants benefits with one hand while holding a pair of handcuffs in the other.

Fieldwork

This article is part of a larger book project in which I am interviewing both people who have received a trafficking designation—and a T visa—as well as other migrants who have experienced exploitative working conditions that may not qualify them as trafficked under the TVPA. I meet T visa recipients through their social-service providers.¹⁰ I have spoken in person with T visa recipients in Los Angeles and Orange counties, California; Florida; Maryland; New York City; Virginia; and Washington, DC. To date, there are no geographical communities of resettled trafficked persons in the United States. Even those who were resettled after the largest case in the United States—the American Samoa case—are not living together

10 See Brennan (2005) for a discussion about the ethical dilemmas that arise and the safeguards that must be in place to ensure this particularly vulnerable population’s safety, privacy, and well-being.

in any one place.¹¹ When possible, I keep in touch with some of the T visa recipients whom I initially meet through social-service agencies, especially with those who live in communities near me—Maryland, New York, Virginia, and Washington, DC. We meet in informal settings such as for meals, and I also accompany them to events at community-based organizations with which they are involved. In this way, I try to engage in participant observation in the traditional anthropological sense, by following how people have been settling into their new communities as they create and maintain new social networks of friends, neighbors, and coworkers.

Because this project takes the position that forced labor and servitude are best understood by expanding the scope of research to include individuals who have not been designated as trafficked, I also have interviewed migrants who have experienced a range of workplace violations in the United States, as well as member-advocates of migrants' rights organizations. I also am interviewing social-service providers, labor organizers, immigration attorneys, and law enforcement officials in sites throughout the United States in order to understand the larger political-economic contexts of migrant labor exploitation.¹²

Anthropologists' focus on the particular can help begin to document just how different each trafficking case is (Foner, 2003; Glick-Schiller, 2003; MacClancy, 2002). Contrary to the media's discussion of trafficked persons as an undifferentiated population, they come from a variety of source countries, were forced into different forms of labor and servitude throughout the United States, and resettled in both small towns and large cities. They speak different languages and have varying education and work histories, as well as differences in age, sex, and race or ethnicity. The length of time they were held in servitude

varies from weeks to years, and although all of them experienced psychological coercion, some also underwent physical brutality. As the victim-witness coordinator for ICE described,

Agents ask me for profiles of traffickers and their victims. I tell them there is no one MO of a typical trafficker, there is no typical victim, and the paths that lead them here are varied. I've never seen anything like this before.

Scope of Trafficking to the United States

One of the most remarkable aspects of the TVPA (2000) is that it was passed without reliable data on how many individuals are in situations of forced labor or servitude—in a variety of industries—in the United States. Even the U.S. Department of State's estimates of how many individuals are trafficked into the United States annually have fluctuated widely over the past few years. The U.S. Department of State's Office to Monitor and Combat Trafficking in Persons has revised its own estimate downward from 50,000 in 2000, to 18,000–20,000 in 2003, to 14,500–17,500 in 2006 (O'Neill Richard, 2000; U.S. Department of State, 2004, 2005, 2006). In addition, the report that Congress had requested from the U.S. Government Accountability Office (GAO; 2006) called the U.S. government's estimates of global trafficking questionable because of "methodological weaknesses, gaps in data, and numerical discrepancies" (p. 2).

In general, little empirical scholarship exists on trafficking to the United States, and notably absent is writing by those who were themselves in situations of forced labor.¹³ Because little is known about either the workings or the aftereffects of forced labor and servitude, and because the Bush administration's focus on trafficking as sex trafficking has produced much misinformation, there is a long way to go before the detailed contours and consequences of forced labor or servitude can be mapped. This issue calls out for more research, both macrolevel and microlevel. Migration and labor researchers could work collaboratively across disciplines to produce comparative research across sites within the United States, particularly because severely exploited individuals who have qualified for T visas have shown up both in large cities and small

11 The American Samoa case involved Kil Soo Lee (a Korean national), who was sentenced on January 29, 2004, for putting people into involuntary servitude in a factory he owned in the territory of American Samoa. "From 1999 through November 2000, ... Lee... used threats, arrest, deportations, starvation, confinement, and beatings to hold over 200 Vietnamese and Chinese garment workers in servitude" (U.S. Department of Justice, 2004a, ¶ 6). The conviction of Lee and his coconspirators is the largest human trafficking case prosecuted by the Department of Justice. I have interviewed some of the resettled T visa recipients from this case in Northern Virginia and in Orange County, California.

12 I also have volunteered weekly at a day-laborer site in Virginia and have attended a variety of community meetings, celebrations, protests, and public hearings held on issues related to migrants' rights.

13 There are a couple of exceptions. See the powerful account written by former child slave Jean-Robert Cadet (1998), who was trafficked from Haiti to the United States. Furthermore, *Enslaved: True Stories of Modern Day Slavery* (Sage & Kasten, 2006), contains chapters written by individuals who were trafficked to the United States.

towns (see Brennan, 2005).¹⁴ Furthermore, research that brings together teams of scholars and practitioners (such as the 2003 Florida State University study and the 2004 report by Free the Slaves and the Human Rights Center at University of California, Berkeley), as well as research that focuses on particular states (such as the aforementioned Florida Study or a 2005 report on California by the Human Rights Center at the University of California, Berkeley), are ways to maximize both breadth and depth of research on trafficking in the United States.¹⁵

Research on exploitation in the United States—severe and otherwise—cannot be limited, however, to focusing on individuals who have been designated as trafficked. These officially designated individuals are just one part of a bigger story on both forced labor and less severe abuses of migrant laborers in the United States. Additionally, of course, various experts on trafficking—policymakers, social-service providers, attorneys, law enforcement, legal and other kinds of scholars—ask different sets of questions and generate different kinds of documentation. This new knowledge about trafficking has critical consequences that bring up a number of concerns: (a) How best to build strategies of prevention of forced labor and servitude—and labor exploitation in general; (b) how best to find cases of severe exploitation; (c) how best to provide aftercare for

trafficked persons; (d) how best to focus funding; and (e) how best to develop leadership among formerly trafficked persons, both in advocacy and in research on trafficking to the United States.

It Is All About Sex

Two confluences have come to dominate discussions of trafficking to the United States. First, as evidenced in many stories in the media and in the Bush administration's position on trafficking, sex trafficking has come to stand in for trafficking into all forms of labor.¹⁶ That is, the broader category of labor trafficking has been subsumed by the significant component of sex trafficking. Second, voluntary sexual exchanges between adults for money have been described as sex trafficking, thereby linking voluntary prostitution to sex trafficking. This link, in turn, has produced a kind of moralizing sex panic within the trafficking debate. Both of these confluences (subsuming all trafficking into sex trafficking, and equating all sex work with sex trafficking) diverts attention away from serious discussions about, and investigations into, the relationship between migrants' undocumented status and exploitative labor conditions—particularly through the practice of subcontracting.

Fighting trafficking has recently intensified into what sociologist Ronald Weitzer (2006) called a moral crusade against prostitution, the views of which, according to Weitzer, “have been institutionalized remarkably quickly, judging from developments in U.S. law and government policy” (p. 33).¹⁷ As one journalist (Brinkley, 2008) observed, this administration has what he called an obsession with prostitution. As a result, fighting trafficking in the

¹⁴ Scholars have joined forces in a number of large migration studies. For example, *Newcomers in the Workplace* (Lamphere, Stepick, & Grenier, 1994) reported on one such collaborative project in the United States that combined macrolevel and microlevel data. Furthermore, Kasinitz, Mollenkopf, and Waters's (2004) study on second-generation New Yorkers combined telephone surveys of 400 18- to 32-year-olds from the five largest immigrant groups with both loosely structured in-depth interviews and the authors' own ethnographic field projects. Also see Levitt and Waters (2002) for another large collaborative study on the second generation of immigrants in New York. For a discussion of a multimethod data-gathering technique that applies ethnographic and survey methods within a single study, see Douglas Massey's (2000) article on the uses of an ethnosurvey.

¹⁵ The most recent focus on domestic youth in prostitution has required data to support the funding already dedicated. Research is underway, such as a study commissioned by the National Institute for Justice. Furthermore, Shared Hope International has received funding from the U.S. Department of Justice to conduct assessments in 10 locations of the identification process of domestic minor sex trafficking victims and of their access to services and shelter. Two assessments have been completed: one in Clearwater, Florida, and one in Las Vegas, Nevada. In progress are assessments in New Orleans and Baton Rouge, Louisiana; Dallas, Fort Worth, and San Antonio, Texas; Independence, Missouri; The Commonwealth of the Northern Mariana Islands; Buffalo, New York; and Salt Lake City, Utah.

¹⁶ In then president Bush's remarks at the signing of the Trafficking Victims Protection Reauthorization Act of 2005, for example, he placed ending sexual exploitation—of children and youth in particular—as the centerpiece of fighting trafficking:

The bill I sign today will help us to continue to investigate and prosecute traffickers and provide new grants to state and local law enforcement. Yet, we cannot put the criminals out of business until we also confront the problem of demand. Those who pay for the chance to sexually abuse children and teenage girls must be held to account. (U.S. Department of State, Office of the Press Secretary, 2006, ¶ 6)

¹⁷ Weitzer (2006) has described moral crusades as tak(ing) the form of “moral panics” if the targeted evil is blown out of proportion, if the number of alleged victims is far higher than what is warranted by the available evidence, and if the claims result in exaggerated anxiety or alarm among at least a segment of the population. (p. 33) Also see Kempadoo's (2005) essay outlining racialized and gendered moral panics from earlier in the century to contemporary times.

United States has been “pervert[ed]” such that “[u]nder Bush it is largely a campaign to abolish prostitution” (Brinkley, ¶ 5). Antiprostitution views have shaped not only who trafficking victims are but also the identification of whom government will rescue, who is deemed worth rescuing, and which groups will be funded to do the rescuing.¹⁸

The current focus on domestic youth in prostitution did not happen overnight. Rather, ever since the crafting stages of the TVPA (before its passage in 2000), debates over prostitution have dominated discussions about trafficking to the United States. Describing the TVPA as appearing “at first glance” to be an “inexplicable if welcome break from a series of anti-immigration, antipoor, and antiprostitution policies in the United States,” Wendy Chapkis (2005) lamented that the “new law actually serves as a soft glove covering a still punishing fist” (p. 51). Some members of Congress did not want any language in the new bill that would provide immigration relief to those who had knowingly entered the sex industry.¹⁹ From the outset, they, along with conservative political pundits, antiprostitution scholars, and directors of faith-based organizations in the rescue business, often used language about sex trafficking to describe all forms of trafficking.

The Bush administration soon made explicit its goal of eliminating all forms of sex work—not just sex trafficking—in its fight against trafficking in the United States and worldwide. Through a December 2002 National Security Presidential Directive, the U.S. government began

requiring that any foreign, nongovernmental organization receiving U.S. government funds earmarked for anti-trafficking efforts overseas must sign an antiprostitution pledge.²⁰ A fact sheet issued by the U.S. Department of State’s Bureau of Public Affairs (2004), “The Link Between Prostitution and Sex Trafficking,” enshrined the logic set out in this presidential directive that voluntary prostitution involving adults leads to sex trafficking of women and children:

The U.S. Government adopted a strong position against legalized prostitution in a December 2002 National Security Presidential Directive based on evidence that prostitution is inherently harmful and dehumanizing, and fuels trafficking in persons, a form of modern-day slavery.²¹ (¶ 1)

With reauthorization of the TVPA in 2005, money was allocated to further implement an agenda of ending demand and eliminating prostitution.²² At this juncture, faith-based and antiprostitution organizations started

²⁰ This directive is not publicly available, however, even though

it is described in numerous government documents as providing evidence of the link between prostitution and trafficking, that legalized or tolerated prostitution increases demand for sex trafficking, and in order to combat trafficking the U.S. government has adopted a strong position against legalized prostitution. (Women’s Commission for Refugee Women and Children, 2007, p. 14)

²¹ The fact sheet continues:

Prostitution and related activities—including pimping and patronizing or maintaining brothels—fuel the growth of modern-day slavery by providing a facade behind which traffickers for sexual exploitation operate.

Where prostitution is legalized or tolerated, there is a greater demand for human trafficking victims and nearly always an increase in the number of women and children trafficked into commercial sex slavery. (U.S. Department of State Department, Bureau of Public Affairs, 2004, ¶ 2, ¶ 3)

One scholar, Donna Hughes, whom the Bush administration’s Office to Monitor and Combat Trafficking in Persons frequently cites to support claims about the links between voluntary and forced prostitution, took this position one step further. She asserted, “The existence of prostitution is the only reason sex trafficking exists” (as cited in Friedlin, 2004, ¶ 14). Also see Hughes’s (2007) article in the *National Review*, in which she argued for more funding for what she called American victims of sex trafficking.

²² In his book on assessing U.S. anti-trafficking policy, journalist Anthony DeStefano (2007) has written about “anti-prostitution zealots” who “single out sex work as a particular evil” as finding “ready allies in the Bush administration which has advanced legislation and policies to conform to the anti-prostitution agenda” (p. xxi).

¹⁸ Two camps, which have come to be known as antiprostitution and pro-prostitution, are divided over how to conceive of selling sexual services. The antiprostitution position maintains that all forms of commercial sexual exchanges are not only exploitative but also coercive and that therefore the sex industry should be eradicated. In contrast, I and other sex-worker rights advocates acknowledge that although the sex industry can be exploitative, including being a site into which individuals are trafficked, it also is a form of labor that women and men may choose free from coercion (see Brennan, 2004). As a form of labor, sex work therefore should be granted greater labor protections to guarantee sex workers greater safety. Both camps largely agree that when minors are involved in the sex industry, the work is forced—never voluntary—prostitution.

¹⁹ See Wendy Chapkis (2005) on the history of the Trafficking Victims Protection Act of 2000 (TVPA) with the image of “violated innocents” (p. 52) at its center; Anthony DeStefano (2007) on the development of U.S. policy on trafficking; Saunders’s (2005) essay on the rewriting of street youth into trafficking victims and the emergence of CSEC (commercial sexual exploitation of children) as “a framework encompassing phenomena that are known individually as child prostitution, child pornography, and trafficking in children” (p. 167); and Jo Doezema’s (1998) and Allison Murray’s (1998) essays on pre-TVPA discussions on trafficking as sex trafficking in the United States.

taking the lead in anti-trafficking activities throughout the United States.

Sensationalistic news stories about trafficking fueled the Bush administration's cry to end demand for trafficked persons.²³ Stories about the summer 2006 World Cup events held in Germany illogically suggested that up to 1 million women and girls would be trafficked into Germany, where prostitution is legal, to fatten up the brothels for the influx of soccer fans (see Landler, 2006). Furthermore, a series on Lifetime (Prupas, 2005) and a front-page story in the *New York Times Magazine* (Landesman, 2004) had provoked much criticism for shoddy reporting.²⁴ These media stories became all the more influential not only because of the lack of scholarly research on forced labor in the United States²⁵ but also, as Schaffner (2006) has indicated in the title of her book, due to a lack of research on girls in trouble with the law. Schaffner has written that although "popular moral panics often focus on girls' and women's behavior, ... academic studies (as well as policy development and program funding) focus on the situations and experiences of boys and men" (p. 1). As a result, "young women in trouble are victims of an a priori discourse that theorizes their

experiences without detailed empirical scrutiny" (Schaffner, p. 3). Indeed, as Schaffner has pointed out, the attention that girls in prostitution receive is out of step with empirical data on arrests: "In 2004 fewer than 1,500 arrests for prostitution were of girls under the age of eighteen," whereas "close to 14,500 arrests of female minors were for aggravated assault" (p. 3).

Domestic youth in prostitution are assumed to be easier to find than non-U.S. citizens in situations of forced labor. Some attorneys at the U.S. Department of Justice and staff at organizations that are antiprostitution have described domestic youth in prostitution as the low-hanging fruit in the fight against trafficking in the United States. Despite the new labeling of pimps as traffickers and youth as trafficking victims, police interventions can have perverse results. Police harassment of anyone—of any age—is commonplace in sites where sex workers have been known to work (Alliance for a Safe & Diverse DC, 2008). And although some young people have been rescued from abuse in the sex industry, others continue to be treated and processed as delinquents. By rewriting "street children, runaways, throwaways, or juvenile delinquents"²⁶ as child victims affected by commercial sexual exploitation (CSEC), they move from "stigmatized identity, for example, from child prostitute to this protective, neutral acronym" (Saunders, 2005, p. 168). The CSEC framework "flounders," however, "when confronted with youth who do not consider themselves victims or who do not view the harms done to them in the same way as the NGO advocates who intend to help them" (Saunders, p. 176). Although such youth "are considered change agents" and "are encouraged to participate in program design and campaigns to end CSEC," Saunders has cautioned that "not all youth perspectives are afforded status as acceptable voices for change... [Rather, some] non-conforming youth are pathologized and ultimately silenced by the framework of the CSEC" (p. 168).

Taking the Lead, Taking the Money

Ambassador Mark Lagon, who directs the Office to Monitor and Combat Trafficking in Human Persons, has

23 Saunders (2005) has provided an excellent summary of the template journalists and documentary makers around the world use to tell trafficking stories that "would imply through narrative or images that it was the demand from Western men driving the need for young prostitutes" (p. 170).

24 One manager of an electronic anti-trafficking listserv with a name similar to that of the series on the Lifetime channel explained that she received a flurry of e-mails the day after the series had aired from parents who feared that their daughters would be kidnapped and trafficked into the sex trade. The *New York Times Magazine* article (Landesman, 2004) featured a young girl on a bed clad in a Catholic-schoolgirl's uniform (plaid skirt and knee socks). For a critique of the Landesman article, see Young (2004) and the series of articles by Jack Shafer (2004a, 2004b, 2004c, 2004d, 2004e) on Slate.com. The *New York Times Magazine* cover story provoked so much criticism regarding the author's claims about the girls he allegedly met and on the data he cited that the "Editors' Note" in the February 15, 2004, edition of the *New York Times* addressed the topic.

25 There is excellent scholarship, however, on exploitative labor practices in a number of industries in which migrants labor, such as factories (Bonacich & Appelbaum, 2000; Louie, 2001; Rosen, 2002; Ross, 1997; Ross, 2004); domestic work (Chang, 2000; Hondagneu-Sotelo, 2001; Zarembka, 2002); agriculture (Griffith & Kissam, 1995; Rothenberg, 1998); poultry processing (Fink, 2003; Striffler, 2006; Stull & Broadway, 2004); and day labor (Homeless Persons Representation Project & Casa de Maryland, 2004; Valenzuela, Theodore, Meléndez, & Gonzalez, 2006).

26 Writing about sex work in Canada, Deborah Brock (1998) has described what she called the confusion in newspaper accounts referring to young prostitutes as children, even though the data cited included young people between the ages of sixteen and twenty-one (and in at least one case, up to twenty-five).⁹ Despite this confusion, by the end of the decade the term "street kid" was uniformly applied to young people who had fled families, foster homes, and an array of institutional settings.⁹ [Thus,] street kids, including young people working in prostitution, had developed a homogeneous identity. (p. 120)

denied that federal aid to anti-trafficking groups produces a zero-sum game in which one group of trafficking victims is pitted against another; nonetheless, increased resources have transformed some nonprofit startups into national leaders on trafficking.²⁷ In general, two kinds of organizations focus on domestic youth: (a) organizations that existed before the passage of the TVPA in 2000 and whose mission is to support youth who are vulnerable to a number of abuses and (b) organizations that emerged after the passage of the TVPA and whose mission is to fight trafficking—usually sex trafficking. Only in the past few years—during which time, more U.S. government money has been allocated to end prostitution in the United States—has this latter group started programs that focus on domestic youth in prostitution.²⁸ These advocates for youth have pointed out the resources available to non-U.S. citizens under the TVPA and questioned why the same assistance has not been made available for domestic youth who are victims of trafficking.²⁹

These youth advocates' claims on resources for victims of sex trafficking dovetails with the Bush administration's global fight against trafficking as sex trafficking. Saving U.S. young people who are involved in prostitution becomes a local enactment of global policies to end prostitution

27 Ambassador Lagon's response to a question I asked him after a lecture he gave at Georgetown University on April 9, 2008.

28 For example, Shared Hope International (SHI), a Christian organization founded by former congresswoman Linda Smith, was awarded one of two Bureau of Justice Assistance (BJA) congressionally mandated grants in 2006. Prior to this earmark, SHI had focused its activities overseas (in India, Fiji, Jamaica, and South Africa) by opening what the organization calls Homes of Hope, places where women who flee from brothel work can live. Under the BJA earmark, SHI received \$987,228 to

assist two existing human trafficking task force awardees and the ten law enforcement agencies receiving 2006 BJA human trafficking task force awards in developing protocols that will better enable victims of trafficking who are U.S. citizens, primarily minors exploited for commercial sex, to obtain medical, psychological, legal and other services that are appropriate for victims of human trafficking. (U.S. Department of Justice, 2007, p. 6).

Prior to receiving this award, SHI had positioned itself as an expert on domestic prostitution by coauthoring (with ECPAT-USA and the Protection Project) the *2006 Report From the U.S. Mid-Term Review on the Commercial Sexual Exploitation of Children in America*.

29 Such claims were made, for example, by advocates for youth at the First Congressional Briefing on Commercially Sexually Exploited Youth on March 1, 2004.

around the world. Moreover, providing assistance to trafficking victims who are U.S. citizens also sidesteps thorny political issues surrounding working with migrant communities whose members may be undocumented. Chapkis (2005) commented that, following the release of the first set of inflated numbers on trafficking in the United States and worldwide, the

misleading claim that all these exploited undocumented workers were “sex slaves”—and that “global trafficking” was all about women and children—was useful in rallying public support for victims of migrant abuse in a climate generally hostile to undocumented workers in America's factories and fields. (p. 54)³⁰

Yet, in contrast to startup anti-trafficking organizations, migrants' rights organizations that were around before the passage of the TVPA (2000) are well situated both to find trafficked individuals and to facilitate migrant activists in taking leadership roles in the fight for better working conditions at sites where migrants labor.³¹ This everyday rights work becomes all the more urgent in an environment of increased raids, arrests, and deportations. For example, the Coalition of Immokalee workers, an agricultural workers' membership-based advocacy organization in Immokalee, Florida, has been active since 1993 and the Break the Chain Campaign has been assisting women who do domestic work in the Washington, DC, area since 1997. These migrants' rights organizations grew out of grassroots community needs, in collaboration with community partners, not out of moral or funding imperatives. With the rise of startup antiprostitution organizations, migrants' rights groups and social-service agencies that specialize in working with foreign exploited workers in industries other than the sex industry have been replaced at many policy tables and anti-trafficking conferences by these newer, less

30 Chapkis (2005) has described the opposition set by distinguishing trafficking victims defined as “vulnerable women and children forced from the safety of their home or homelands into gross sexual exploitation,” from “economic migrants who are understood to be men and who have willfully violated national borders for individual gain” (p. 52).

31 My research project has paid specific attention to migrant workers' rights, opportunities for organizing, and mobility in the workplace. Ruth Milkman's (2000) edited volume *Organizing Immigrants*, Zolniski's (2006) new ethnography on the Justice for Janitors campaign, and Gordon's (2005) book on legal fights for low-wage migrant workers all examine organizing opportunities within migrant communities.

experienced organizations.³² Furthermore, because of new funding mechanisms, all organizations that resettle trafficked persons have experienced government funding cuts.³³ In short, because of these changes, organizations with experience assisting exploited migrants increasingly are having difficulty doing their job.

³² Anti-trafficking conferences organized by government agencies (such as the Office of Refugee Resettlement), which used to invite a range of community-based organizations involved in combating trafficking, more recently have invited only domestic-youth-in-prostitution-oriented organizations, as well as faith-based and other antiprostitution organizations—many of which have little or no experience in actually delivering social services to trafficked persons (of any age or nationality). Social workers (who have asked to remain anonymous) from organizations that are not faith based and have not explicitly taken an antiprostitution position are frustrated by their exclusion from these tables that are shaping future best practices on finding trafficked persons, knowing whom to look for, and providing social services.

The trend toward replacement of experienced organizations with newer ones whose mission statements are in line with the Bush administration's position on prostitution is also clear in which organizations were asked to be community partners during the Rescue and Restore public awareness campaign of the U.S. Department of Health and Human Services. It is unclear whether these campaigns have reached trafficked persons directly. Service providers "tend to agree that rather than the Campaign's broad, general awareness efforts, grassroots awareness campaigns are the best way to educate trafficked persons" (Women's Commission for Refugee Women and Children, 2007, p. 17). However, "oftentimes the long-standing service-providers in the cities where campaigns are initiated were not contacted to be a partner" (Women's Commission for Refugee Women and Children, p. 16).

³³ Prior to 2006, the Office of Refugee Resettlement and the U.S. Department of Health and Human Services awarded approximately \$14.95 million in grants to social-service organizations to provide services. In addition, the Office for Victims of Crime at the United States Department of Justice awarded approximately \$10 million to 25 organizations for providing services such as housing, legal assistance, and case management. With these grants however, only those who were certified as trafficking victims could receive assistance (Women's Commission for Refugee Women and Children, 2007, p. 24). Since 2006, the latest funding mechanism for service provision to trafficked persons is a per capita reimbursement system administered through the U.S. Conference of Catholic Bishops. Social workers have confided that this pay-per-client system has diminished the capacity of social-service agencies to have a range of staff and resources at the ready. Furthermore, as the Women's Commission for Refugee Women and Children noted:

funding trends are illustrative of the government's anti-prostitution approach. For example, under the guise of trafficking the Trafficking Victims Protection Reauthorization of 2005 authorizes \$25 million grants to state and local law enforcement to investigate and prosecute buyers of commercial sex (p. 14; also see U.S. Department of Justice, 2006).

In the next sections of this article, I explore why more on-the-ground labor organizing in collaboration with community organizations that work on behalf of migrants' rights is a critical first step to all anti-trafficking activities.

Finding Trafficked Persons Amid Everyday Exploitation

Following the central premise around which the Coalition of Immokalee Workers organizes both its farm-workers' rights and antislavery campaigns,³⁴ this project situates trafficking along a continuum of exploitative labor practices that migrants experience in work sites throughout the United States, underscoring the effects of minimal labor protections for low-wage (often migrant) workers in the informal economy and in jobs created through subcontracting.³⁵ Low pay, unsafe work conditions, job insecurity, and no clear channels for employees to bring their grievances to their employers are part of doing business at many work sites where migrants labor (Gordon, 2005). Forced labor and servitude exist today in part because a range of other exploitative labor conditions exist and are allowed to proliferate. When exploitation is the norm, forced labor not only can flourish but also can blend into a background of abuse. Trafficked persons typically are restrained not with physical chains but rather through mental or physical coercion. As a result, trafficked persons, whether they pick tomatoes or wash dishes or sew clothes alongside other migrant workers, may appear to be working under the same conditions as their coworkers. What distinguishes these severely exploited workers from those who have experienced less severe forms of exploitation is their belief that they—or their families—will be hurt if

³⁴ See the following book, articles, and editorials in which the efforts of the Coalition of Immokalee Workers (CIW) have been profiled: Bowe (2007) and Rondeaux (2002) on the Ramos slavery case; Asbed (2003) and Nieves (2005) on the CIW's campaign against Taco Bell's use of subcontractors to pay tomato pickers poverty wages; Hundley (2006) on the CIW's negotiations with McDonald's Corporation; Greenhouse (2007) and Schlosser (2007) on the CIW's campaign to pressure Burger King to have the chain's tomato suppliers pay more to pickers; and Durbin, Sanders, and Brown (2008) on the Senate Committee on Health, Education, Labor & Pensions hearing about the working conditions and poverty wages in Florida's tomato fields.

³⁵ See Bales and Lize (2005) on labor laws' lack of reach to two industries in which migrant labor predominates—agriculture and domestic work. Lack of labor protections combined with a dearth of labor inspectors (from the U.S. Department of Labor) allow rampant labor abuses to go unchecked (Bales & Lize).

they leave their trafficker. These practices of intimidation work. All trafficked persons—regardless of their particular circumstances of exploitation—live in fear and silence.

Because fear and intimidation can characterize work sites dominated by migrant workers even when labor is not forced, it is not hard to imagine other factors that may discourage brutally exploited workers from seeking help from community-based organizations or law enforcement. First, at any given work site, individuals in forced labor may work side by side with other workers who have a marginal ability to leave. Severely exploited individuals may be reluctant to come forward out of concern that their coworkers would lose their jobs. Second, if they work or live (or both) in a community of co-ethnics, along with their exploiter, they may have a well-founded fear of reprisals. Third, migrant workers may be reluctant to cooperate with law enforcement not only out of fear of reprisals from their exploiters but also out of fear of law enforcement itself, which may be corrupt or untrustworthy in their home countries. Fourth, the possibility of not qualifying for a T Visa and thus risking deportation also discourages exploited migrant workers from seeking help. Furthermore, some do not want to be found. Peter Kwong's (1997) research with Chinese communities in the United States revealed widespread silence about labor abuses that occurred within a highly orchestrated, profitable, violent, and underground system of indentured servitude. These workers, Kwong emphasized, do not want rescuing; they would rather dedicate themselves to paying off their debts.

Legal scholar Jennifer Gordon (2005) has written about a kind of super-exploitation that occurs to most undocumented workers who, at some point, are cheated out of their wages in what she called everyday sweatshops. Workers at work sites that are relatively hidden, such as in factories or in private homes, or that are geographically isolated, such as in agriculture, are particularly vulnerable to labor violations that can tip into slavery. Migrant worker labor organizers emphasize that exploitation is an inevitable part of immigrant workers' experiences. An organizer for PCUN (Pineros y Campesinos Unidos del Noreste—Northwest Tree Planters and Farmworkers United) in Woodburn, Oregon, explained that "exploitation happens in small companies and large companies. There are multiple avenues to rip off workers, especially because of a lack of English. This is so common, these things happen all the time, to all the workers." An organizer for the United Farm Workers (UFW) in Oxnard, California, also described widespread practices of intimidation in the nearby strawberry fields: "We hear of bad pay or no pay all the time. But if workers complain, they

get fired." Another UFW organizer explained how farm contractors warn the workers that they will be fired if they go to the local UFW office. "So the few who do come here to the office are literally scared to be here. It's easier to meet folks out and about in town and to tell them what I do, than to get them to come here," the organizer said. Many workers fear not just for themselves but also for their coworkers, the organizer continued, adding that contractors threaten that they will fire an entire crew (approximately 40 people in the case of strawberry picking) if a worker persists with a complaint.

Another significant obstacle to finding trafficked persons is that they themselves may not distinguish their experiences of forced labor from that of their migrant peers, and thus do not self-identify as trafficked persons. Rather, a kind of normalization of exploitative conditions exists among migrant workers. An attorney in Miami described her clients' experiences in forced labor as part of "a continuum of violence and exploitation" that they may have experienced. Even those who have qualified for T visas do not necessarily consider themselves any more exploited or abused than some of their coworkers who do not qualify as trafficked under the TVPA (2000). Often, for example, T visa recipients initially come to this Miami attorney's office not because of workplace issues, but rather to discuss their immigration status. A social worker in New York City echoed this observation: "People do not talk about trafficking ever. They talk about abuse, things like 'My boyfriend beat me'."

Nanci, a Mexican woman who was forced into prostitution and regularly beaten by her boyfriend (who was also the father of her child), feared that the police would not protect her from her abuser. Even after she had escaped with the help of a Mexican taxi driver and his sisters who cared for her, she was unaware that she had suffered a particular kind of exploitation that would qualify her for a particular kind of visa. Only after she saw a Spanish-language news broadcast about the arrest of a man who had forced his wife into sexual slavery did Nanci realize that she was not alone in her abuse and that there was a system set up to punish abusers like her boyfriend. She explained, "I was young and did not know that there were organizations to help me."

Labor Organizing, Rights Work

The Coalition of Immokalee Workers (CIW) in Florida provides a model of how to combat both forced labor and a range of migrant worker exploitation by engaging in labor organizing and investigative work. CIW members have gone undercover on different farms as farmworkers to gather information on forced labor and debt-bondage

cases, which have been federally prosecuted.³⁶ Through the CIW drop-in center, weekly meetings, radio show, block parties, and ongoing outreach in places where farmworkers work and live, the organization is well poised to learn of a range of abuses while working daily to inform workers of their rights. Moreover, in addition to worker-members conducting undercover investigations on different farms to gather information on cases of forced labor, CIW van drivers who ferry laborers from farm to farm also have served as sources of information. These kinds of ground-up streams of ongoing documentation of exploitation are essential not only to bringing more cases of forced labor and servitude to light but also to exposing daily exploitative practices that migrant workers fear to speak out against.

Given such conditions, it is little surprise that workers stay quiet in settings where unsafe working conditions, wage violations, or abuse thrive—especially in the underground economy and in the hidden supply chain that subcontracting creates. Threatened, intimidated, and frequently isolated, individuals in forced labor or servitude are difficult to reach even with ongoing investigative efforts. The creation of 42 task forces in sites throughout the United States brings together law enforcement and community partners with the intent of finding more individuals in forced labor.³⁷ However, there is little indication that these task forces are investigating exploitative labor practices—let alone building partnerships based on trust in migrant communities.³⁸ Nor is it clear what kind

of success law enforcement would have if attempting to investigate labor issues at work sites where fear reigns—both fear of the employers-traffickers and fear of law enforcement and the possibility of deportation. The current atmosphere of Immigration and Customs Enforcement raids on workplaces where undocumented migrants labor, as well as deputization of local police officers in some communities to arrest people for lack of legal documentation, has resulted in more disincentives to come forward than ever before (Aizenman, 2008; Brulliard, 2008; Cave, 2008; Vargas, 2008).³⁹ Furthermore, attrition through enforcement⁴⁰ has become a mantra among anti-immigrant activists: Activists who lobby for the deportation of illegal aliens urge creating an unwelcoming atmosphere as a way to reduce immigration.

Trust

Formerly trafficked persons may distrust more than law enforcement: Having difficulty trusting others has been a central theme in formerly trafficked persons' narratives. I use the term *trust* in ways similar to Daniel and Knudsen (1995), who have written about how refugees both mistrust and are mistrusted. I ask how someone who was profoundly exploited can begin to trust others again and explore how community support plays a role in this process. The ability to trust others is not easily regained after others have controlled one's life. Yet formerly trafficked persons are asked almost immediately after they escape or are rescued to trust a variety of individuals who are charged with determining whether they were trafficked. Formerly trafficked persons might find themselves interviewed by the local police, immigration officials, state and federal prosecutors, and their own lawyers. As Julie, an Indonesian woman who was in domestic servitude in California, explained, "You do not know anyone. It's hard to trust other people. After I got out, everyone was asking

36 Their investigative work has resulted in the identification of more than 1,000 tomato and orange pickers held in debt bondage, as well as in the prosecutions by the U.S. Department of Justice of traffickers who threatened workers if they tried to leave and who pistol-whipped passenger van service drivers who gave rides to farmworkers leaving the area (see the following cases on the Coalition of Immokalee Workers (n.d.) website at <http://www.ciw-online.org/slavery.html>: *U.S. v. Flores*, 1997; *U.S. v. Cuello*, 1999; *U.S. v. Tecum*, 2001; *U.S. v. Lee*, 2001; *U.S. v. Ramos*, 2004; and *U.S. v. Ronald Evans*, 2007).

37 These task forces partner local U.S. attorney offices with state, local, and territorial law enforcement agencies and with community-based organizations "to create a victim centered human trafficking task force" (U.S. Department of Justice, 2007, p. 6).

38 Service providers have criticized the requirement that those seeking a T visa must assist law enforcement as an approach undermining a victim-centered approach. A report by the Women's Commission for Refugee Women and Children (2007) has documented service providers' concerns that trafficked persons "are refusing to report to law enforcement when they learn what the process entails," which "forces trafficked persons to pursue an alternative form of immigration relief than the T visa and struggle without the federal benefits" (p. 4).

39 Since the passage of the Trafficking Victims Protection Act (2000), there have been cases when those swept up in raids and rescues (particularly of massage parlors and brothels) were placed in immigration detention until their trafficking status could be determined. Those who are determined to be trafficking victims begin receiving legal and social services (including housing assistance), whereas those who are determined to not be trafficked—and are undocumented—are deported (Lengel, 2006).

40 I heard this phrase repeated by some speakers at a public hearing on immigration convened by the Virginia Commission on Immigration on May 22, 2008, at George Mason University in Fairfax County, Virginia. In contrast, Debra Shutika's (2008) research with a Pennsylvania community is a model of how community members decide to work with migrant newcomers.

me questions. I thought, what if they do the same thing to me again?"

Formerly trafficked persons may distrust not only officials but also co-ethnics. As much as social networks within ethnic enclaves can facilitate finding jobs and housing (Alba & Nee, 2003; Fong, 1994; Waldinger & Lichter, 2003), in the case of formerly trafficked persons who have been exploited by co-ethnics, these co-ethnics themselves can be a source of stress. Furthermore, if someone was exploited by co-ethnics whose friends and family may still be living in a particular community, she or he may want to resettle in a different community altogether. As they try to put their situations of abuse behind them by avoiding working or living with co-ethnics, some formerly trafficked persons tell stories of their past catching up with them. Rosa, a Mexican woman who was forced to have sex in Mexican-run brothels that cater to Mexican clients in New York City, saw a former customer at her job in a restaurant. This former customer recognized her and told one of Rosa's friends that he had met her at a brothel. Flo, a woman from Zimbabwe who was in domestic servitude, ran into a friend of her trafficker in a store. The friend called the employer-trafficker (a diplomat who was not prosecuted), who spent the next week telephoning all of Flo's friends trying to locate her.

This lack of trust can increase a sense of isolation. Most formerly trafficked persons describe telling neither their families back home nor their new friends in the United States about their experiences in forced labor. In this sense, they remain alone in their silence about these abusive experiences. Moreover, most formerly trafficked persons did not endure their human rights abuses and suffering with others nor are they undergoing their resettlement collectively, as a member of a group that experienced violence.⁴¹ As a result, most of their experiences are individuated and are not typically perceived as part of a common experience among a group of migrants.

Alliances and Action in Immigrant Communities

Some formerly trafficked persons are meeting one another for the first time through workshops offered by social-service agencies and community-based organizations. These meetings, ostensibly designed to offer specific

skills (such as money management, résumé writing, or computer classes), also have an ancillary result: Formerly trafficked persons who have never had a chance to meet other formerly trafficked persons can identify commonalities in their experiences. One Spanish-language series of empowerment workshops for formerly trafficked persons at a social-service provider in New York City, for example, provided a forum for formerly trafficked persons to lead discussions. One of the facilitators, Eva, who was pursuing a degree as a medical assistant at the time (after earning her GED), was an inspiration to other women in the group. A fellow group member, upon seeing Eva dressed in her blue scrubs and carrying a book bag, remarked to me how amazing Eva was and how she, too, was looking into different degree programs. Yet, most formerly trafficked persons never get to meet and share stories or offer advice, support, or inspiration to other formerly trafficked persons. Meeting others with similar experiences can be particularly helpful for formerly trafficked persons who, because they have been exploited by co-ethnics, feel that co-ethnic communities cannot be sources of comfort, assistance, or belonging.

In addition, workshops and other activities that include both formerly trafficked persons and other migrants who have experienced exploitation (but not enough to qualify for a T visa) are particularly effective in creating new leaders. For example, the Break the Chain Campaign in Washington, DC, and the domestic worker program at Casa de Maryland in Montgomery County, Maryland, have had great success in nurturing member-advocates who get the word out in domestic worker communities both about their rights on the job and on a range of issues related to migrants' rights. This success has been due in large part to worker-led grassroots organizing these organizations have done over time and the trust they slowly have built in these communities.⁴²

Some formerly trafficked persons have taken leadership roles at local migrant community-based organizations all over the United States. Maria, for example, who had been trafficked from the Philippines into domestic servitude in the New York area, has been active for several years in a Filipino community-based organization in New York City. While attending various activities with her—such as a health fair, computer classes, and the organization's annual dinner-dance—I have seen the level of respect she enjoys. Maria frequently leads community meetings and speaks publicly not only about the

41 Research with populations that have experienced violence—such as refugees displaced after war or genocide—provides some insights for understanding the resettlement challenges for formerly trafficked persons. However, it also has limitations because it does not specifically address the experience of being held against one's will (Malkki, 1995; Manz, 2002; Theidon, 2006).

42 Members of the domestic workers' unit at Casa de Maryland have been engaged in a worker-led struggle for the passage of a domestic workers' bill of rights in Montgomery County, Maryland.

domestic servitude she endured but also about the exploitation of migrant domestic workers in general. If task force meetings or other policymaking groups do not include community partners such as this migrant community-based organization, it will be all the more difficult to reach migrants who do not speak English and rarely come into contact with individuals outside of their community of co-ethnics.

Concluding Comments

In the name of combating trafficking, antiprostitution politics have profoundly shaped the policy construction of the victims of trafficking: who the victims are, for whom law enforcement looks, which organizations receive funding, and which kinds of cases prosecutors move forward. This prostitution panic has become so entrenched that it is no longer possible to talk in general of trafficked persons. Activists and scholars now must spell out whom they are speaking about, distinguishing between U.S. citizens and foreign nationals. Simply having to clarify these terms is an illustration in itself of how much antiprostitution politics have altered the political understanding of trafficking. For those who have lived through forced labor (in any industry), placing their abuse within an equivalent legal framework to those in noncoerced sexual labor is an outrage.

At the same time, the debate over immigration to the United States continues. As new policies target undocumented workers, more and more foreign nationals working in or vulnerable to situations of forced labor are likely to mistrust not only law enforcement but also community-based organizations. Consequently, these individuals will be more difficult to find and harder to assist than ever before. As trafficked persons become harder to find, task forces intensify their attention on finding domestic youth in prostitution. Without looking beyond the sex industry for exploitation, of course, such exploitation will not be found. De facto U.S. policy is to search for (and, as a result, find) only one kind of trafficking victim. This approach epitomizes the U.S. fight against trafficking: combating sex trafficking while ignoring other, equally injurious forms of exploitation.

References

- Aizenman, N. C. (2008, March 27). In N.Va., a Latino community unravels: Job losses and Pr. William Law hit illegal immigrants and others. *Washington Post*, p. A01.
- Alba, R., & Nee, V. (2003). *Remaking the American mainstream: Assimilation and contemporary immigration*. Cambridge, MA: Harvard University Press.
- Alexandria House, American Civil Liberties Union, Asian American Legal Defense and Education Fund, Asian Pacific Islander Legal Outreach, Ayuda Inc., Baldwin, S., et al. (2008, January 23). Letter from human rights activists. Retrieved July 24, 2008, from <http://www.bayswan.org/traffick/HR3887.html#2>
- Alliance for a Safe & Diverse DC. (2008). *Move along: Policing sex work in Washington, D.C.* Washington, DC: Different Avenues.
- Asbed, G. (2003, March 30). For pickers, slavery tastes like tomatoes. *Palm Beach Post*. Retrieved June 24, 2008, from <http://www.ciw-online.org/gapbpoped.html>
- Bales, K., & Lize, S. (2005, March). *Trafficking in persons in the United States, final report*. University, MS: Croft Institute for International Studies.
- Benczkowski, B. A. (2007, November 9). Letter from Principal Deputy Assistant Attorney General Brian Benczkowski on behalf of U.S. Department of Justice, Office of Legislative Affairs, to Senator John Conyers Jr., chairman, Committee on the Judiciary, U.S. House of Representatives.
- Bonacich, E., & Appelbaum, R. (2000). *Behind the label: Inequality in the Los Angeles apparel industry*. Berkeley: University of California Press.
- Bowe, J. (2007). *Nobodies: Modern American slave labor and the dark side of the new global economy*. New York: Random House.
- Brennan, D. (2004). *What's love got to do with it? Transnational desires and sex tourism in the Dominican Republic*. Durham, NC: Duke University Press.
- Brennan, D. (2005). Methodological challenges in research with trafficked persons: Tales from the field. *International Migration*, 43(1/2), 35–54.
- Brinkley, J. (2008, January 11). An obsession with prostitution. *The Sacramento Bee*. Retrieved June 24, 2008, from <http://www.sacbee.com/110/story/625031.html>
- Brock, D. R. (1998). *Making work, making trouble: Prostitution as a social problem*. Toronto, Ontario, Canada: University of Toronto Press.
- Bulliard, K. (2008, March 12). Crackdown on illegal immigration quiets soccer fields in Pr. William. *Washington Post*, p. A01.
- Cadet, J.-R. (1998). *Restavec: From Haitian slave child to middle-class American*. Austin: University of Texas Press.
- Cave, D. (2008, June 9). Local officials adopt new, harder tactics on illegal immigrants. *New York Times*, p. A1.
- Chang, G. (2000). *Disposable domestics: Immigrant women workers in the global economy*. Cambridge, MA: South End Press.

- Chapkis, W. (2005). Soft glove, punishing fist: The Trafficking Victims Protection Act of 2000. In E. Bernstein & L. Schaffner (Eds.), *Regulating sex: The politics of intimacy and identity* (pp. 51–65). New York: Routledge.
- Coalition of Immokalee Workers. (n.d.). CIW anti-slavery campaign. Retrieved July 29, 2008, from <http://www.ciw-online.org/slavery.html>
- Daniel, E. V., & Knudsen, J. (1995). Introduction. In E. V. Daniel & J. Knudson (Eds.), *Mistrusting refugees* (pp. 1–12). Berkeley: University of California Press.
- DeStefano, A. M. (2007). *The war on human trafficking: U.S. policy assessed*. New Brunswick, NJ: Rutgers University Press.
- Doezema, J. (1998). Forced to choose: Beyond the voluntary v. forced prostitution dichotomy. In K. Kempadoo & J. Doezema (Eds.), *Global sex workers: Rights, resistance, and redefinition* (pp. 34–50). New York: Routledge.
- Durbin, D., Sanders, B., & Brown, S. (2008, April 20). We must treat farmworkers fairly. *Miami Herald*. Retrieved June 24, 2008, from <http://www.sanders.senate.gov/news/record.cfm?id=297470>
- Editors' Note. (2004, February 15). *New York Times*. Retrieved June 24, 2008, from <http://query.nytimes.com/gst/fullpage.html?res=9500E2DD163DF936A25751C0A9629C8B63&scp=1&sq=February+15%2C+2004+%2B+landesman&st=nyt>
- Fink, L. (2003). *The Maya of Morgantown: Work and community in the Nuevo New South*. Chapel Hill: University of North Carolina Press.
- Florida State University. (2003). *Florida responds to human trafficking*. Tallahassee: Florida State University Center for the Advancement of Human Rights.
- Foner, N. (2003). Introduction: Anthropology and contemporary immigration to the United States—Where we have been and where we are going. In N. Foner (Ed.), *American arrivals: Anthropology engages the new immigrants* (pp. 3–44). Santa Fe, NM: School of American Research Press.
- Fong, T. (1994). *The first suburban Chinatown: The remaking of Monterey Park*. Philadelphia: Temple University Press.
- Free the Slaves & the University of California, Berkeley, Human Rights Center. (2004, September). *Hidden slaves: Forced labor in the United States*. Berkeley, CA: Authors.
- Friedlin, J. (2004, April 16). Debate roars over anti-trafficking funds. *Women's eNews*. Retrieved February 15, 2008, from <http://www.womensenews.org/article.cfm/dyn/aid/1792>
- Glick-Schiller, N. (2003). The centrality of ethnography in the study of transnational migration: Seeing the wetlands instead of the swamp. In N. Foner (Ed.), *American arrivals: Anthropology engages the new immigrants* (pp. 99–128). Santa Fe, NM: School of American Research Press.
- Gordon, J. (2005). *Suburban sweatshops: The fight for immigrant rights*. Cambridge, MA: Belknap Press of Harvard University Press.
- Greenhouse, S. (2007, December 24). Tomato pickers' wages fight faces obstacles. *New York Times*. Retrieved June 24, 2008, from <http://www.nytimes.com/2007/12/24/us/24tomato.html>
- Griffith, D., & Kissam, E. (1995). *Working poor: Farmworkers in the United States*. Philadelphia: Temple University Press.
- Homeless Persons Representation Project & Casa de Maryland. (2004). *Baltimore's day laborer report: Their stolen sweat*. Baltimore: Authors.
- Hondagneu-Sotelo, P. (2001). *Domestica: Immigrant workers cleaning and caring in the shadow of affluence*. Berkeley: University of California Press.
- Hughes, D. (2007, July 30). Enslaved in the U.S.A.: American victims need our help. *National Review*. Retrieved February 15, 2008, from <http://article.nationalreview.com/?q=ZDUoOGNIMDcwM2JmYjk0N2MoOTU4NGVlMTBlMmEyMjI=>
- Human Rights Center. (2005). *Freedom denied: Forced labor in California*. Berkeley: University of California.
- Hundley, K. (2006, March 5). Fast food fight: A farm workers group has a new target. But McDonald's and growers have their own reform ideas. *St. Petersburg Times*. Retrieved June 24, 2008, from http://www.sptimes.com/2006/03/05/Business/Fast_food_fight.shtml
- Kasinitz, P., Mollenkopf, J., & Waters, M. (2004). *Becoming New Yorkers: Ethnographies of the new second generation*. New York: Russell Sage Foundation.
- Kempadoo, K. (2005). From moral panic to global justice: Changing perspectives on trafficking. In K. Kempadoo (Ed.), *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights* (pp. vii–xxxiv). Boulder, CO: Paradigm Publishers.
- Kwong, P. (1997). *Forbidden workers: Illegal Chinese immigrants and American labor*. New York: The New Press.
- Lagon, M. P. (2008, April 9). The William V. O'Brien Lecture in International Law and Morality: Trafficking in persons. Department of Government, Georgetown University, Washington, DC.

- Lamphere, L., Stepick, A., & Grenier, G. (Eds.). (1994). *Newcomers in the workplace: Immigrants and the restructuring of the U.S. economy*. Philadelphia: Temple University Press.
- Landesman, P. (2004, January 25). The girls next door. *New York Times Magazine*. Retrieved June 24, 2008, from <http://www.nytimes.com/2004/01/25/magazine/25SEXTRAFFIC.html?ei=5007en=43dbe6ef76e45af8ex=1390366800>
- Landler, M. (2006, June 30). World Cup brings little pleasure to German brothels. *The New York Times*. Retrieved July 28, 2008, from <http://www.nytimes.com/2006/07/03/world/europe/03berlin.html>
- Lengel, A. (2006, August 17). 31 arrested in reputed Korean sex-slave trafficking along East Coast. *Washington Post*, p. B08.
- Levitt, P., & Waters, M. C. (2002). *The changing face of home: The transnational lives of the second generation*. New York: Russell Sage Foundation.
- Louie, M. (2001). *Sweatshop warriors: Immigrant women workers take on the global factory*. Cambridge, MA: South End Press.
- MacClancy, J. (2002). Introduction: Taking people seriously. In J. MacClancy (Ed.), *Exotic no more: Anthropology on the front lines* (pp.1–14). Chicago: University of Chicago Press.
- Malkki, L. H. (1995). *Purity and exile: Violence, memory and national cosmology among Hutu refugees in Tanzania*. Chicago: University of Chicago Press.
- Manz, B. (2002). Terror, grief, and recovery: Genocidal trauma in a Mayan village in Guatemala. In A. Hinton (Ed.), *Annihilating difference: The anthropology of genocide* (pp. 292–309). Berkeley: University of California Press.
- Massey, D. (2000). A validation of the ethnosurvey: The case of Mexico-U.S. migration. *International Migration Review*, 34, 766–794.
- Milkman, R. (2000). *Organizing immigrants: The challenge for unions in contemporary California*. Ithaca, NY: Cornell University Press.
- Murray, A. (1998). Debt-bondage and trafficking: Don't believe the hype. In K. Kempadoo & J. Doezema (Eds.), *Global sex workers: Rights, resistance, and redefinition* (pp. 51–64). New York: Routledge.
- Nieves, E. (2005). Florida tomato pickers still reap "harvest of shame"; Boycott helps raise awareness of plight. *The Washington Post*, p. A03.
- O'Neill Richard, A. (2000, April). *International trafficking in women to the United States: A contemporary manifestation of slavery and organized crime*. Washington, DC: Center for the Study of Intelligence, Central Intelligence Agency.
- Prupas, M. (Producer). (2005). *Human trafficking* [Television miniseries]. Los Angeles and New York: Lifetime Entertainment Television.
- Rondeaux, C. (2002, December 1). Fear and knowing in Immokalee. *St. Petersburg Times*. Retrieved June 24, 2008, from http://www.sptimes.com/2002/12/01/State/Fear_and_knowing_in_I.shtml
- Rosen, E. (2002). *Making sweatshops: The globalization of the U.S. apparel industry*. Berkeley: University of California Press.
- Ross, A. (1997). *No sweat: Fashion, free trade, and the rights of garment workers*. New York: Verso.
- Ross, R. (2004). *Slaves to fashion: Poverty and abuse in the new sweatshops*. Ann Arbor: University of Michigan Press.
- Rothenberg, D. (1998). *With these hands: The hidden world of migrant farmworkers today*. New York: Harcourt Brace & Company.
- Sage, J., & Kasten, L. (Eds.). (2006). *Enslaved: True stories of modern day slavery*. New York: Palgrave Macmillan.
- Saunders, P. (2005). Identity to acronym: How "child prostitution" became "CSEC." In E. Bernstein & L. Schaffner (Eds.), *Regulating sex: The politics of intimacy and identity* (pp. 167–185). New York: Routledge.
- Schaffner, L. (2006). *Girls in trouble with the law*. New Brunswick, NJ: Rutgers University Press.
- Schlosser, E. (2007, November 29). Penny foolish. *New York Times*. Retrieved June 24, 2008, from <http://www.nytimes.com/2007/11/29/opinion/29schlosser.html>
- Shafer, J. (2004a, January 26). Sex slaves of West 43rd Street: The *New York Times Magazine* gets carried away in its investigation. *Slate*. Retrieved June 24, 2008, from <http://www.slate.com/id/2094414/>
- Shafer, J. (2004b, January 27). Doubting Landesman: I'm not the only one questioning the *Times Magazine's* sex-slave story. *Slate*. Retrieved June 24, 2008, from <http://www.slate.com/id/2094502/>
- Shafer, J. (2004c, January 28). The *Times Magazine* strikes back: Editor Gerald Marzorati defends his sex-slave cover story, "The Girls Next Door." *Slate*. Retrieved June 24, 2008, from <http://www.slate.com/id/2094580/>
- Shafer, J. (2004d, January 29). How *not* to handle press critics: *New York Times Magazine* contributor Peter Landesman shows the way. *Slate*. Retrieved June 24, 2008, from <http://www.slate.com/id/2094648/>

- Shafer, J. (2004e, February 3). Enslaved by his sources: Reading Peter Landesman's sex-slave story one more time. *Slate*. Retrieved June 24, 2008, from <http://www.slate.com/id/2094896/>
- Shared Hope International, ECPAT-USA, & the Protection Project of the Johns Hopkins University School of Advanced International Studies. (2006, September). *Report from the U.S. Mid-Term Review on the Commercial Sexual Exploitation of Children in America*. Retrieved February 15, 2008, from http://www.sharedhope.org/images/US_MTR_of_CSEC.PDF
- Shutika, D. L. (2008). The ambivalent welcome: Cinco de Mayo and the symbolic expression of local identity and ethnic relations. In D. S. Massey (Ed.), *New faces in new places: The changing geography of American immigration* (pp. 274–307). New York: Russell Sage Foundation.
- Striffler, S. (2006). *Chicken: The dangerous transformation of America's favorite food*. New Haven, CT: Yale University Press.
- Stull, D., & Broadway, M. (2004). *Slaughterhouse blues: The meat and poultry industry in North America*. Belmont, CA: Wadsworth Publishing.
- Theidon, K. (2006). Intimate enemies: Toward a social psychology of reconciliation. In M. Fitzduff & C. E. Stout (Eds.), *The psychology of resolving global conflicts: From war to peace, volume 2. Group and social factors* (pp. 211–228). Westport, CT: Praeger Security International.
- Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1469 (2000).
- Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. 108-193, 117 Stat. 2887 (2003).
- Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. 109-164, 119 Stat. 3558 (2005).
- U.S. Department of Justice. (2004a, January 29). Prepared remarks of Attorney General Ashcroft regarding human trafficking. Retrieved July 1, 2008, from <http://www.usdoj.gov/archive/ag/speeches/2004/12904aghumantrafficking.htm>
- U.S. Department of Justice. (2004b, June). *Assessment of U.S. government activities to combat trafficking in persons*. Retrieved February 15, 2008, from http://www.usdoj.gov/crt/crim/wetf/us_assessment_2004.pdf
- U.S. Department of Justice. (2005, September). *Assessment of U.S. government activities to combat trafficking in persons in fiscal year 2004*. Retrieved February 15, 2008, from http://www.usdoj.gov/olp/pdf/sept2005_assessment.pdf
- U.S. Department of Justice. (2006, June). *Attorney General's annual report to Congress on U.S. government activities to combat trafficking in persons: Fiscal year 2005*. Retrieved July 1, 2008, from <http://www.usdoj.gov/ag/annualreports/tr2005/agreporhumantrafficking2005.pdf>
- U.S. Department of Justice. (2007, May). *Attorney General's annual report to Congress on U.S. government activities to combat trafficking in persons: Fiscal year 2006*. Retrieved February 15, 2008, from <http://www.state.gov/documents/organization/88973.pdf>
- U.S. Department of Justice, Civil Rights Division. (2006). *Report on activities to combat human trafficking: Fiscal years 2001–2005*. Retrieved February 21, 2008, from http://www.usdoj.gov/crt/crim/trafficking_report_2006.pdf
- U.S. Department of State. (2004, June). *Trafficking in persons report*. Retrieved February 21, 2008, from <http://www.state.gov/documents/organization/34158.pdf>
- U.S. Department of State. (2005, June). *Trafficking in persons report*. Retrieved February 21, 2008, from <http://www.state.gov/documents/organization/47255.pdf>
- U.S. Department of State. (2006, June). *Trafficking in persons report*. Retrieved February 21, 2008, from <http://www.state.gov/documents/organization/66086.pdf>
- U.S. Department of State. (2007, June). *Trafficking in persons report*. Retrieved February 6, 2008, from <http://www.state.gov/documents/organization/82902.pdf>
- U.S. Department of State, Bureau of Public Affairs. (2004, November 24). The link between prostitution and sex trafficking. Retrieved February 21, 2008, from <http://www.state.gov/r/pa/ei/rls/38790.htm>
- U.S. Department of State, Office of the Press Secretary. (2006, January 10). President signs H.R. 972, Trafficking Victims Protection Reauthorization Act. Retrieved July 1, 2008, from <http://www.state.gov/g/tip/rls/prsrl/58894.htm>
- U.S. Government Accountability Office. (2006, July). *Human trafficking: Better data, strategy, and reporting needed to enhance U.S. antitrafficking efforts abroad*. Retrieved February 6, 2008, from <http://www.gao.gov/new.items/do6825.pdf>
- U.S. Government Accountability Office. (2007, July). *Human trafficking: A strategic framework could help enhance the interagency collaboration needed to effectively combat trafficking crimes*. Retrieved

- February 6, 2008, from <http://www.gao.gov/new.items/do7915.pdf>
- Valenzuela, A., Theodore, N., Meléndez, E., & Gonzalez, A. (2006). *On the corner: Day labor in the United States*. Los Angeles: UCLA Center for the Study of Urban Poverty.
- Vargas, T. (2008, March 17). Team will track Pr. William's illegal immigration crackdown. *Washington Post*, p. B01.
- Waldinger, R., & Lichter, M. (2003). *How the other half works: Immigration and the social organization of labor*. Berkeley: University of California Press.
- Weitzer, R. (2006). Moral crusade against prostitution. *Society*, 43(3), 33–38.
- William Wilberforce Trafficking Victims Protection Reauthorization Act of 2007, H.R. 3887, 110th Cong. (2007).
- Women's Commission for Refugee Women and Children. (2007, May). *The U.S. response to human trafficking: An unbalanced approach*. New York: Author.
- Young, C. (2004, February 9). Was story about sexual trafficking exaggerated? *Boston Globe*. Retrieved June 24, 2008, from http://www.boston.com/news/globe/editorial_opinion/oped/articles/2004/02/09/was_story_about_sexual_trafficking_exaggerated/
- Zarembka, J. (2002). America's dirty work: Migrant maids and modern-day slavery. In B. Ehrenreich & A. Hochschild (Eds.), *Global woman: Nannies, maids, and sex workers in the new economy* (pp. 142–153). New York: Metropolitan Books.
- Zolniski, C. (2006). *Janitors, street vendors, and activists: The lives of Mexican immigrants in Silicon Valley*. Berkeley: University of California Press.